

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CHARLES J. SENIOR, NORMAN FAHY,)	
RONALD D. PHIPPS, RAYMOND)	
W. POSTMA, THOMAS G. HIRL)	
and UNITED STEELWORKERS)	
OF AMERICA, LOCAL 12004)	
)	
Plaintiffs,)	
v.)	Civil Action No. 04-10160-EFH
)	
NSTAR ELECTRIC AND GAS)	
CORPORATION and)	
COMMONWEALTH GAS COMPANY)	
)	
Defendant)	

PLAINTIFFS' MOTION TO FURTHER AMEND COMPLAINT (ASSENTED)

Plaintiffs move, with the assent of defendants' counsel, to further amend their complaint as follows:

1. Plaintiff Charles Senior is in ill health and has been advised by his physicians that he may pass on within a matter of weeks. Plaintiffs therefore desire to add another named plaintiff and potential class representative whose factual situation and claims are like those of Charles Senior. Accordingly plaintiffs move to add Garrett M. Fagan as an additional plaintiff and to insert his name in the caption and other paragraphs, 1(a), and 1(b), where the name of Charles Senior appears.

2. Plaintiffs move to amend paragraph 8 by adding the following sentence: "In connection with their participation in the 1997 and 1999 retirement incentive programs, Commonwealth Gas told plaintiffs Fahy, Phipps, Postma, Hirle and others that they and their spouses would have dental coverage for their lifetimes.

3. Plaintiffs move for leave to file a complete second amended complaint which incorporates the amendments in the earlier assented-to motion to amend complaint and the amendments herein requested.

Respectfully submitted,

CHARLES J. SENIOR, NORMAN FAHY,
RONALD D. PHIPPS, RAYMOND W. POSTMA,
THOMAS J. HIRL and UNITED
STEELWORKERS OF AMERICA,
LOCAL 12004

By their attorneys,

s/Warren H. Pyle

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Dated: January 21, 2005

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon all counsel of record, by first class mail, postage pre-paid, on January 21, 2005.

s/Warren H. Pyle

Warren H. Pyle